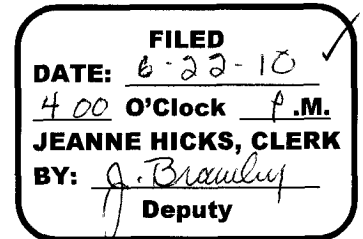


IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI



DIVISION PRO TEM B  
HON. WARREN R. DARROW  
CASE NO. V1300CR20108 0049

JEANNE HICKS, CLERK  
BY: J. Brawley, Deputy Clerk  
DATE: June 22, 2010

TITLE:  
STATE OF ARIZONA,

(Plaintiff)

v

JAMES ARTHUR RAY,

(Defendant )

**COUNSEL:**

Yavapai County Attorney (via OnBase)  
By Sheila Polk / Bill Hughes/ Steven Sisneros

(For Plaintiff)

Thomas K Kelly (e)  
(Co-Counsel for Defendant)  
Luis Li / Brad Brian / Truc Do  
MUNGER TOLLES & OLSON LLP  
355 South Grand Avenue Thirty-Fifth Floor  
Los Angeles, CA 90071-1560

(Co-Counsel for Defendant, *Pro Hac Vice*)

HEARING ON:	NATURE OF PROCEEDINGS	COURT REPORTER
PRETRIAL CONFERENCE		Mina Hunt

START TIME: 9:13 a.m.

APPEARANCES: Sheila Polk, Counsel for State  
Steven Sisneros, Co-Counsel for State  
Thomas Kelly, Co-Counsel for Defendant  
Truc Do, Co-Counsel for Defendant *Pro Hac Vice* (Telephonically)  
Sara Oldre (Telephonically)  
Robert Magnanini, Co-Counsel for Brown Family (Telephonically)  
George Brown, (Telephonically)  
Lily Clark, in person  
Shannon Clark, Counsel for Shore Family (Telephonically)

Defendant's presence has been waived.

Court and Counsel discuss the progress of the case

Counsel for the State advises the matters are proceeding, the parties are engaging in discovery and interviews and Counsel is not aware of any issues for the Court this morning

Counsel Truc Do advises there is a discovery issue that has arisen and that there has been correspondence with the State regarding this issue Defendant will be filing a discovery motion to compel disclosure. Counsel further advises that they are attempting to file most of the motions in advance of the Court's July 9<sup>th</sup> deadline as well as the Court's request to expedite briefing schedule to accommodate the July 20 & 21 hearing date

June 22, 2010

Other than the discovery issue there is a possibility that additional days will be requested. Defendant may be filing a motion requesting an evidentiary hearing regarding 404(b) prior bad acts and that may require more time than the two days the Court has set aside.

The Court inquires if there has been any discussion between the parties regarding 404(b). Defense Counsel advises the State has been invited to meet and confer on a number of evidentiary issues to try and determine whether some of the motions may be unnecessary. Further, the State has indicated they are inclined to meet, however, that has not occurred yet and Counsel wanted to make the Court aware.

The Court confirms the dates set and requests that the motions be filed as soon as possible. The pleadings are to be done and served by some alternate prompt manner other than regular mail.

The existing conditions of release are confirmed.

End Time 9:20 a.m

cc: Gallagher & Kennedy, P.C., Counsel for Shore Family (e)  
Murphy Schmitt Hathaway & Wilson, PLLC, Co-Counsel for Brown Family (e)  
Stone & Magnanini, 150 John F. Kennedy Pkwy, 4<sup>th</sup> Floor, Short Hills, New Jersey 07078  
Aspey Watkins & Diesel, P.L.L.C., Counsel for Neuman Family (e)  
Steptoe & Johnson, Counsel for KPNX Broadcasting Company (e)  
Victim Services (e)  
Division PT-B (e)  
Court Administration  
Jeanne Hicks, Clerk of Court  
Customer Service Supervisor, Verde